

REMARKS/ARGUMENTS

Reconsideration of this application and the rejection of claims 1-7, 9, 13 and 14 are respectfully requested. Applicants have attempted to address every objection and ground for rejection in the Office Action dated June 16, 2005 (Paper No. 121304) and believe the application is now in condition for allowance. The Specification has been amended to correct a reference number error. No new matter has been added to the application.

Claims 1 and 11 have been amended to more clearly describe the present invention. Claim 10 has been canceled from the application.

Applicants acknowledge the allowability of claims 15-20. Applicants further acknowledge that claims 8 and 10-12 would be allowable if rewritten in independent form including all of the limitations of the base claim and intervening claims. Accordingly, Applicants have incorporated features of canceled claim 10 into amended claim 1. Applicants therefore contend that as amended, claim 1 is in allowable form.

Claims 1, 4 and 14 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Fisher et al. (U.S. Pat. No. 2,276,244). Fisher fails to disclose any sort of reciprocating slurry delivery mechanism.

In contrast, amended claim 1 now recites, among other things, "a feed apparatus for use in depositing a slurry upon a moving web having a direction of travel, comprising... a reciprocating slurry delivery mechanism constructed and

arranged for providing slurry to said nip...” Applicants submit that Fisher does not disclose a reciprocating slurry delivery mechanism as recited in amended claim 1. Accordingly, Applicants submit that as amended, claim 1 is patentably distinct from Fisher and in condition for allowance, as are claims 4 and 14, which depend from claim 1. Therefore, the rejection based on Fisher is respectfully traversed.

Claims 1, 4, 6, 7, 9 and 14 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Lohse (U.S. Pat. No. 4,796,559).

In contrast to Lohse, amended claim 1 now recites, among other things, “a feed apparatus for use in depositing a slurry upon a moving web having a direction of travel, comprising... a reciprocating slurry delivery mechanism constructed and arranged for providing slurry to said nip...” Applicants submit that Lohse does not disclose such a reciprocating slurry delivery mechanism, and accordingly, the rejection based on Lohse is respectfully traversed.

Claims 1, 2 and 14 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Marchioli (FR 951985). Marchioli discloses a feed apparatus for depositing a coating material on a moving web including a main metering roll 1 and a companion roll 1' located in close proximity to the main metering roll and rotating in an opposite direction thereto. (FIG. 2).

Unlike Marchioli, amended claim 1 of the present invention recites, among other things, “a feed apparatus for use in depositing a slurry upon a moving web having a direction of travel, comprising...a reciprocating slurry delivery mechanism constructed and arranged for providing slurry to said nip...”

Specifically, Marchioli fails to disclose a reciprocating slurry delivery mechanism as recited in amended claim 1. Accordingly, Applicants respectfully traverse the rejection under 35 U.S.C. §102(b) based on Marchioli.

Claims 1, 13 and 14 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Komaki (U.S. Pat. No. 4,050,864). Komaki discloses a feed apparatus for manufacturing concrete panels including a scrape-up roller 17 and a mortar scrape-out roller 18, both placed in a mortar container 16 and located in close proximity to each other. The scrape-out roller 18 and the scrape-up roller 17 rotate in the same direction. An adjustable piano wire 19 is provided in contact with the outer circumference of roller 18.

In contrast, amended claim 1 now recites, among other things, “a feed apparatus for use in depositing a slurry upon a moving web having a direction of travel, comprising...a reciprocating slurry delivery mechanism constructed and arranged for providing slurry to said nip...” Applicants contend that Komaki does not disclose a reciprocating slurry delivery mechanism as recited in amended claim 1. Accordingly, Applicants respectfully submit the rejection based on Komaki is respectfully traversed.

Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Fisher et al. in view of Schaefer (U.S. Pat. No. 3,640,245). The arguments stated above traversing Fisher are reasserted here.

In view of the amendments to claim 1, from which claim 2 depends, Applicants respectfully submit that claim 1 is patentably distinct from Fisher, and therefore, Applicants respectfully traverse the rejection of claim 2 based on a combination of Fisher and Schaefer.

Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Fisher et al. and Schaefer as applied to claim 2 and further in view of Klein (U.S. Pat. No. 4,287,846). The arguments asserted above traversing Fisher and Schaefer are reasserted here.

Applicants respectfully contend that Klein, whether considered alone or in combination with Fisher and Schaefer, fails to disclose or suggest all of the features now recited in amended claim 1, from which claim 3 indirectly depends and which is now considered to be in allowable form. Accordingly, Applicants respectfully traverse the rejection of claim 3 under 35 U.S.C. §103(a).

Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Fisher et al. in view of Klein. The arguments asserted above for Fisher and Klein are reasserted here. In view of amended claim 1, from which claim 5 depends, Fisher does not disclose or suggest all of the features recited in the claim. Therefore, Applicants respectfully traverse the rejection of claim 5 under 35 U.S.C. § 103(a).

Claim 5 also stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Fisher et al. in view of Reafler (U.S. Pat. No. 5,132,148). The arguments made above traversing Fisher are reasserted here.

In view of the amendments to claim 1, from which claim 5 depends, claim 1 includes features not disclosed or suggested by Reafler, whether taken alone or in consideration with Fisher. Accordingly, Applicants respectfully submit that claim 5 is in allowable form and respectfully traverse the rejection of claim 5 over Fisher in view of Reafler.

Claim 13 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Fisher et al. in view of Kohler et al. (U.S. Pat. No. 6,068,701). The arguments made above traversing Fisher are reasserted here.

Applicants respectfully submit that as amended, claim 1, from which claim 13 depends, recites features not disclosed or suggested in Fisher or Kohler, and accordingly, is in allowable form. Therefore, Applicants respectfully traverse the rejection of claim 13 under 35 U.S.C. § 103(a).

Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Lohse in view of Schaefer. The arguments asserted above traversing Lohse and Schaefer are reasserted here. Applicants respectfully submit that as amended, claim 1, from which claim 2 depends, includes features not disclosed or suggested in Lohse, and therefore, Applicants respectfully traverse the rejection of claim 2 under 35 U.S.C. § 103(a).

Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Lohse and Schaefer as applied to claim 3 and further in view of Klein. Applicants reassert the arguments traversing Lohse, Schaefer and Klein stated above. Applicants submit that in view of the amendments made to claim 1,

from which claim 3 indirectly depends, the rejection of claim 3 under 35 U.S.C. § 103(a) is respectfully traversed.

Claim 5 further stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Lohse in view of Klein. The arguments stated above traversing Lohse and Klein are reasserted here. Applicants contend that as amended, claim 1, from which claim 5 depends, includes features not disclosed or suggested in Lohse or Klein. Accordingly, Applicants respectfully traverse the rejection of claim 5 over Lohse in view of Klein.

Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Lohse in view of Reafler. The arguments made above traversing Lohse and Reafler are reasserted here. Applicants respectfully submit that amended claim 1, from which claim 5 depends, is patentably distinct from Lohse. Therefore, Applicants contend that claim 5 is in allowable form and respectfully traverse the rejection of claim 5 under 35 U.S.C. § 103(a).

Claim 13 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Lohse in view of Kohler. The arguments stated above traversing Lohse and Kohler are reasserted here. Applicants respectfully submit that as amended, claim 1, from which claim 13 depends, includes features not disclosed or suggested in Lohse or Kohler, and accordingly, claim 13 is considered to be in allowable form.

Claims 3 and 5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Marchioli in view of Klein. The arguments made above traversing Marchioli and Klein are reasserted here. Applicants submit that in view of the amendments to claim 1, from which claims 3 and 5 either directly or indirectly depend, claims 3 and 5 are in allowable form. Accordingly, Applicants respectfully traverse the rejection of claims 3 and 5 over Marchioli in view of Klein.

Claim 5 also stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Marchioli in view of Reafler. The arguments made above traversing Marchioli and Reafler are reasserted here. Applicants contend that as amended, claim 1, from which claim 5 depends, includes features not disclosed or suggested in the cited references, and is therefore in condition for allowance. Accordingly, Applicants respectfully traverse the rejection of claim 5 over Marchioli in view of Reafler.

Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Komaki in view of Schaefer. The arguments asserted above traversing Komaki and Schaefer are reasserted here. As amended, claim 1, from which claim 2 depends, recites features not disclosed or suggested in Komaki or Schaefer, and accordingly, the rejection is respectfully traversed.

Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Komaki and Schaefer as applied to claim 2 and further in view of Klein. The arguments made above traversing Komaki, Schaefer and Klein are

reasserted here. Applicants submit that as amended, claim 1, from which claim 3 indirectly depends, includes features not disclosed or suggested in the cited references. Therefore, Applicants respectfully traverse the rejection of claim 3 under 35 U.S.C. § 103(a).

Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Komaki in view of Klein. The arguments stated above traversing Komaki and Klein are reasserted here. As amended, claim 1, from which claim 5 depends, includes features not disclosed or suggested in the references, and is therefore considered to be in allowable form. Accordingly, Applicants respectfully traverse the rejection of claim 5 over Komaki in view of Klein.

Claim 5 finally stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Komaki in view of Reafler. The arguments asserted above traversing Komaki and Reafler are reasserted here. As amended, claim 1, from which claim 5 depends, is in condition for allowance. Therefore, Applicants respectfully traverse the rejection of claim 5 under 35 U.S.C. § 103(a).

In view of the above amendments, the application is respectfully submitted to be in allowable form. Allowance of the rejected claims is respectfully requested and Applicants respectfully request that a timely Notice of Allowance be issued in this case.


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Reply to Office Action of June 16, 2005

Should the Examiner discover there are remaining issues which may be resolved by a telephone interview, she is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,

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